Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1-8, 11, 13-18 have been amended. No claims have been added or canceled. Thus, claims 1-30 remain pending.

The Examiner is thanked for the detailed review provided to the present matter. Regarding the claim objection to claims 23, 27, and 30, Applicants appreciate the difficulty in parsing through some of the claim language, and would gladly discuss clarifying claim language if such would further examination of the present claims. However, regarding claim 23, there is no error as suggested. As discussed in the specification, the first endpoint may not realize it is behind a NAT device, firewall, or some other device that alters the apparent origin or other characteristics of network traffic from the first endpoint. Recited in claim 22 is the sending of a second session registration for the first endpoint to the registration server that includes a network address for the first endpoint that is non-routable.

In claim 23 this non-routable address is recognized through comparison with the actual routable address from which the second registration was received, e.g., one way to determine this is by inspecting the network traffic itself from the first endpoint. Recited is "receiving the second session registration ... from a routable network address associated with the network translation device," e.g., the external address of a NAT device; the difference between the associated address and the one within the registration can then be identified in the next operation, thus allowing the registration

server to use the associated address instead of the non-routable one provided within the second registration. Similar issues are presented in claims 27 and 30.

Thus, the Office's interpretation of claims 23, 27, and 30, while inadvertent, is nonetheless materially incorrect since the Office indicates it has interpreted the language as relating to registration of the second endpoint rather than the first endpoint as recited. It is respectfully submitted these errors constitute a material misapplication of the documents relied on by the Office, and hence it is respectfully requested that the Office withdraw the rejections of claims 23, 27, 30 as well as of any rejections of other claims suffering from the same inadvertent misinterpretation of the claim language.

35 USC §112

Claims 1-7, 10, 11-17, 20, 23, 27 stand rejected as being indefinite. Claims 20, 23, and 27 have been addressed above regarding the claim objections. Regarding the objections to claims 1-7 and 11-17, these have been addressed in the amendments to correct clerical errors within the claims. In particular, the claims have been amended to clarify use of "routable" and "non-routable" within the claims. Applicants apologize for any confusion.

Regarding claims 8-10, a registration server has been added as performing the recited operations. Regarding claim 10 in particular, it is not clear to Applicants how the claim contradicts the specification. Claim 10 recites:

> determining by the second endpoint whether the second network address is routable; and
>
> if so, waiting by the second endpoint for audiovisual data to be sent to the second endpoint from the first endpoint.

The specification states at page 12 (emphasis added) "Once translation is identified 544, **rather than** immediately sending content as would occur in a conventional communication session, instead EP2 waits 546 for content to be sent 548 from EP1 to EP2," e.g., EP2 waits for EP1 to prime its NAT. Note that to clarify the expectation of priming, claim 8 has been amended to recite "receiving a first registration for the first endpoint, said registration comprising an embedded address, embedded port primed by the first endpoint." It is respectfully submitted that claim 10's recited determining and waiting is consistent with the specification, or at least such consistency has now been made clear through clarification of claim 8.

INTERVIEW REQUEST: to ensure all §112 concerns have been adequately addressed, the Examiner is requested to contact the undersigned if the Examiner deems it likely such conference would help settle remaining issues, if any.

35 USC §102

Claims 1-3, 5, 8, 9, 11-13, 15, 18, 19, 21, 25-27 and 28-30 stand rejected under §102(e) as being anticipated by the Net2Phone application of Goldberg et al. (WO 02/03217). It is believed aspects of the rejections have been addressed incident to amending the claims for clarity as discussed above with respect to the §112 rejections.

However, as best the Goldberg reference is understood to be applicable to the claims, Goldberg appears to require use of an application server 105 that tracks the address/port on which a communication endpoint may communicate with a device behind a Network Address Translation (NAT) device; for example, as discussed in Goldberg figure 5 (page 9) and figures 7 (page 10), the application server 105

coordinates establishing communication. The Goldberg application server does not, as far as it is understood, teach or suggest "priming" the NAT device as recited in claim 1 by sending data through the NAT device **using the same port on which the a responsive communication is expected and/or desired**.

As will be appreciated by the office, the recited use of the same port as recited is very different from conventional protocols to resolve communication for devices behind a NAT device. Consequently, due to at least this difference, it is submitted the claims, as amended, are not anticipated by Goldberg.

Regarding the rejection of claim 5 in particular, Applicants traverse the rejection because the Office incorrectly claims a recited feature is inherent. The Office bases its inherency argument on the theory that an address/port is not unique since two machines behind different NATs may share the same IP address and port. While these two machines theoretically have the same internal local area network (LAN) addresses and ports, once they communicate through their NAT devices as required in the Office's hypothetical, these devices will have a unique address/port combination since the NAT devices themselves must have different addresses.

Assuming the Goldberg invention recognizes use of a NAT device by examining the embedded source address in a communication setup versus the address of network packets actually carrying the setup, such identification **has no bearing** on the recited alias. The Office incorrectly states "the application server would not know this information unless it has stored it when determining that client A was behind a NAT." This statement does not make sense to Applicants. As discussed above, knowing the

IP address of the NAT device and the port provided in the setup data uniquely identifies each of the hypothetical endpoints behind different NATs. From the Goldberg registration server's perspective, all machines **still** have a unique address/port combination, e.g., the address may repeat for multiple machines behind an endpoint, but the NAT's the ports will differentiate them. Consequently, as taught by Goldberg, and as noted by the Office, that uniquely identifying information is provided to the other endpoint to establish communication. But, such providing does **not** inherently anticipate providing other data. Thus, it is respectfully requested that this rejection be withdrawn.

Regarding claim 8, as discussed above, Goldberg fails to anticipate at least the recited alias in claim 8's "receiving a first registration for the first endpoint, said registration comprising an embedded address, embedded port primed by the first endpoint and embedded alias for the first endpoint." Further, the recited (as amended) priming the endpoint not taught or suggested by Goldberg.

Regarding claim 21, the portion of Goldberg relied on by the Office does not appear to teach the recited "priming the network translation device, by sending at least one network packet to the second endpoint ... on the content port, **before** completing setting up the communication session with the second endpoint." As will be appreciated by the office, the second endpoint will **not** be able to send information through the NAT to the first endpoint unless the NAT has an entry in its authorization table. So, to allow the second endpoint to communicate with the first endpoint, the first endpoint sends a packet out on the "content port," e.g.,, the port on which the responsive content is to be

received **from** the second endpoint. It does not appear the recited portion of Goldberg teaches this use of priming by using the port on which a response is to be received.

Regarding the rejections of independent claims 11 and 18, these claims are deemed allowable for at least the reasons variously discussed above with respect to claims 1, 8 and 21.

Regarding the rejections of dependent claims 2-3, 5, 9, 12-13, 15, and 19, except as already discussed above, it is respectfully submitted these claims are allowable for at least the reason as depending from allowable based claims. The rejections of these claims will not otherwise be substantively addressed at this time in order to focus prosecution on other issues raised in the Office Action.

35 USC §103

Dependent claims 4 and 14 stand rejected as being obvious over Goldber in view of "Network Safety."

Since these claims are allowable for at least the reason as depending from allowable base claims, the technical merits of these claim rejections is not being addressed at this time.

Conclusion

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-30 are in condition for allowance and such action is earnestly solicited.

Regarding claims 6, 7, 10, 16, 17 and 20 in particular, these claims do not appear to have been otherwise rejected except for the §112 rejections. It is hoped the response to the §112 issue has overcome their rejection; their passage to issuance is respectfully requested.

Regarding the claim amendments, if the Examiner would like me to prepare a clean set of all claims as amended to facilitate examination, please let me know as I am not sure if under the new system a clean set of claims is provided automatically for you.

The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,

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